

Notice of Allowability

Application No.

10/056,777

Examiner

Callie E. Shosho

Applicant(s)

BROMBERG, LEV

Art Unit

1714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 8/24/05 and telephonic interview conducted 9/7/05.
2. ☒ The allowed claim(s) is/are 1,2,6,7,10,12-18 and 20-44.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 3/2/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 9/7/05
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

(1) Claim 25, line 4, after "polyelectrolyte," and before "and", insert "wherein the inkjet ink system comprises inkjet ink composition and second jettable composition,".

(2) Claim 25, line 4, after "incorporated into" and before "second", delete "a" and insert "the".

(3) Claim 26, line 1, after "comprising:" and before "a)", insert "substrate and".

(4) Claim 26, line 5, after "component of" and before "substrate", delete "a" and insert "the".

(5) Claim 26, line 5, after "surface of" and before "substrate", delete "a" and insert "the".

2. Authorization for this examiner's amendment was given in a telephone interview with Robert Amici on 9/7/05.

Statement of Reasons for Allowance

3. The present claims are allowable over the “closest” prior art Grezzo Page et al. (U.S. 5,708,095) for the following reasons:

Grezzo Page et al. disclose ink jet ink comprising liquid vehicle, carbon black modified with carboxylic acid, and 0.1-30% gelling agent or hydrophobically modified polyelectrolyte, i.e. graft copolymer which comprises macromonomer side chain obtained from styrene and ethoxytriethyleneglycol methacrylate and backbone obtained from (meth)acrylic acid and ethyl acrylate.

However, the gelling agent or hydrophobically modified polyelectrolyte possesses molecular weight of 1,000-100,000 which is in direct contrast to present claims 20, 28, 42, 43, and 44 which each now require gelling agent, i.e. hydrophobically modified polyelectrolyte, possessing weight average molecular weight of 300,000-1,500,000.

Further, Grezzo Page et al. only disclose ink jet ink with no disclosure of second jettable composition or gelling composition and thus, there is no disclosure in Grezzo Page et al. of (i) ink jet ink system comprising the ink jet ink composition and second jettable composition comprising gelling agent as required in present claim 25, (ii) method of generating a printed image comprising incorporating into printing apparatus the ink jet ink and jetting the ink to generate an image onto a substrate wherein the method further comprises the step of jetting a gelling composition as required in present claim 29, or (iii) method of generating a printed image comprising incorporating into printing apparatus ink jet ink comprising liquid vehicle and colorant, incorporating into printing apparatus gelling agent composition comprising gelling

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agent, and jetting the ink jet ink and gelling agent composition to generate image on substrate as required in present claim 38.

Additionally, there is no disclosure or suggestion in Grezzo Page et al. of ink jet ink system comprising substrate and liquid vehicle, colorant, and gelling agent wherein the gelling agent is a component of the substrate or is a coating on the surface of the substrate as required in present claim 26 or method of generating a printed image comprising incorporating into printing apparatus ink jet ink comprising liquid vehicle and colorant, jetting the ink, and generating image on a substrate wherein the substrate comprises gelling agent as required in present claim 40.

Thus, it is clear that Grezzo Page et al. do not disclose or suggest the present invention.

In light of the above, it is clear that the rejections of record are untenable and so, the present claims are passed to issue.

It is noted that applicants' IDS filed 3/2/04 has been considered. An initialed and dated copy of the IDS is attached to this office action.

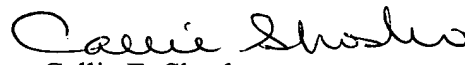
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Callie E. Shosho whose telephone number is 571-272-1123. The examiner can normally be reached on Monday-Friday (6:30-4:00) Alternate Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on 571-272-1119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Callie E. Shosho
Primary Examiner
Art Unit 1714

CS
9/8/05